

**Appl. No. 09/810,908**  
**Amdt. dated May 3, 2005**  
**Reply to Office action of February 3, 2005**

**Amendments to the Drawings:**

The attached sheets of drawings do not include any changes to the drawings. Please replace the informal drawings originally filed with the application with the attached replacement sheets of drawings.

Attachment: FOUR (4) Replacement Sheets

#### REMARKS/ARGUMENTS

Applicant has received the Office action dated February 3, 2005, in which the Examiner: (1) rejected claims 9, 10, 13-17 and 20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Cruickshank (U.S. Pat. No. 6,522,738); and 2) objected to claims 11-12 and 18-19 as being dependent upon a rejected base claim, but would be allowable if rewritten. With this Response, Applicant amends claims 16 and 18. Based on the arguments and amendments contained herein, Applicant believes this case is in condition for allowance.

Claim 9 requires "dictation software" that generates "text corresponding to the voice information" and a "tone-based mark-up facility" that converts "each tone into one or more mark-up commands that operate on the text." For these teachings, the Examiner turn, in part, to col. 9, lines 41-45 of Cruickshank. This passage of Cruickshank states the following:

In S812 server system 100 receives, through speech or DTMF tones, or a combination of the two, object data that is associated with the object type selected in S804 or S808. This object data may, for example, include text generated by server system 100 from the speech of the user; the position on the web page based on numbers indicated by DTMF tones generated by the telephone station apparatus 108; the selection of a file, for an audio, video or graphic clip or image, selected from a list of such files generated by the server system 100 in the manner described above; or other data necessary to sufficiently characterize the object type selected in S804 or S810.

The passage from Cruickshank quoted above suggests the use of DTMF tones to designate a position on a web page. However, nowhere does this passage state or even suggest that tones are converted to commands that "operate on the text" that was produced from voice information. For at least this reason, claim 9 and all claims dependent therefrom are allowable over Cruickshank.

The Examiner observed that Cruickshank does not disclose the conversion of tones to commands "based on the context information." Office Action, page 4. Applicant amends claim 16 to specify that each tone symbol is converted into at least one mark-up command "based on context information."

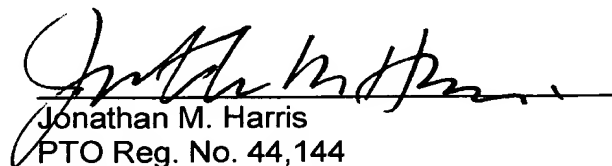
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Accordingly, based on the Examiner's reasoning, the Examiner should find that claim 16 and all claims dependent therefrom are allowable over Cruickshank. Applicant amends claim 18 to be consistent with the amended language of claim 16.

In the course of the foregoing discussions, Applicant may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicant respectfully requests reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,



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